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1 and what you don't know. Do you understand?

2 A. Yes.

3 Q. Now, I have assured the court reporter that I believe

4 that you know the difference between telling the truth

5 and not telling the truth based upon your age.

6 A. Yes.

7 Q. Am I correct in that?

8 A. Yes.

9 Q. Okay. Here is an important rule. I heard your

10 attorney telling you how to respond before we started.

11 Do not answer a question I ask you if you don't

12 understand it.

13 A. Yes.

14 Q. Do you understand that?

15 A. Yes.

16 Q. If you answer a question, we're going to all expect

17 that you understood it first. Can we do that?

18 A. Yes.

19 Q. All right. I'm happy to explain things over and over

20 again until you get it. All right?

21 A. Yes.

22 Q. All right. Now, the raid that involved your family

23 and the incident that you experienced, occurred on

24 September 11th, 2007. Does that sound right to you?

25 A. Yes.

1 A. Next to the house.

2 Q. You were still next to the house?

3 A. Yes.

4 Q. Was there a car in the driveway?

5 A. Yes. It was my car. Yes.

6 Q. Your family car?

7 A. Yes.

8 Q. And if you're facing the street, the car is in front

9 of you. Right?

10 A. Yes.

11 Q. So it is between you and the backyard?

12 A. Yes.

13 Q. All right. So you were behind that car, if you were

14 standing in the street, looking at you. Right?

15 A. Yes.

16 Q. All right. Where was the dog? With you?

17 A. Yes, she was with me. She was using the restroom, and

18 I was waiting for her.

19 Q. Was she on a leash or was she free?

20 A. She was free.

21 Q. All right. So the car stopped?

22 A. Yes.

23 Q. And you were in that place between your family car and

24 the backyard?

25 A. Yes.

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1 Q. Okay. When was the first time you saw these guys who

2 came into your house?

3 A. It was about 9 o'clock, nighttime. I was walking --

4 my mom asked me to walk my dog to go to the bathroom

5 outside, and then I was walking my dog to the -- to

6 the grassy area, near the driveway, and that's when I

7 saw a car suddenly stopped, and they ran and chased

8 me. And they pulled out their guns and said, "Don't

9 move," but I just ran in the house --

10 Q. Okay.

11 A. -- and they followed me.

12 Q. Let me ask you this: Did these guys get out of the

13 car and point their guns at you right away?

14 A. No, they ran --

15 Q. Okay.

16 A. -- to get close to me.

17 Q. So let's break it down step by step. Okay?

18 A. Yes.

19 Q. First, the car stopped?

20 A. Yes.

21 Q. Where were you when the car stopped?

22 A. In the driveway, in the backyard.

23 Q. In the driveway that leads to the backyard?

24 A. Yes.

25 Q. Were you in the backyard or next to the house?

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1 Q. What happened next?

2 A. Okay. I saw two men. This guy with the car closed

3 the door and started chasing to the back of the

4 driveway.

5 Q. Okay. Let me ask you some questions on that. Okay?

6 You saw two guys get out of the car?

7 A. Yes.

8 Q. Do you remember if they were black or white?

9 A. They was white.

10 Q. Both of them?

11 A. Yes.

12 Q. Okay. And you said they started coming at you right

13 away?

14 A. Yes.

15 Q. All right. Were they walking or running?

16 A. Running.

17 Q. Did they say anything at that point?

18 A. No, they just kept on running.

19 Q. They came right in your direction?

20 A. Yes.

21 Q. Okay. And what did you do?

22 A. Well, I looked and seen what they was doing and then

23 they pulled out their gun and said, "Don't move.

24 Don't move."

25 Q. All right. So the next thing that's happening, is

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1 while they're running towards you and you see them
2 coming --
3 A. Yes.
4 Q. -- you see them both pull out guns --
5 A. Yes.
6 Q. -- and they yell at you, "Don't move. Don't move."
7 A. Yes.
8 Q. And then you run?
9 A. Yes.
10 Q. All right. And you run to the backyard?
11 A. Yes, to the --
12 Q. And to the back door of the house?
13 A. Yes.
14 Q. And you go in the house, and the kitchen is right
15 there, isn't it?
16 A. Yes.
17 Q. There is a couple of steps up to the door, and then
18 there is a landing, and then there is a couple more
19 steps up to the kitchen. Do I have that right?
20 A. Yes.
21 Q. Okay. And what happens next?
22 A. I told my mom -- she was cooking, because we had
23 school the next day.
24 Q. Sure.
25 A. And then she saw I was scared. So she looked in the

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1 back -- in the back of the door -- she walked to the
2 back of the door, and that's when the two men barged
3 in through the door.
4 Q. You saw her look at the door behind you?
5 A. Yes.
6 Q. Okay. Before you said anything?
7 A. No, I told her that it was two men chasing me.
8 Q. Oh, okay.
9 A. And then she came and looked to see what was
10 happening, and that's when two -- two of the white men
11 opened the door.
12 Q. Okay. And then what happened?
13 A. They -- my mom asked, "What are you doing? What are
14 you doing? What do you want?" He said, "I just want
15 the boy."
16 Q. Okay. And then what happened?
17 A. And then she -- one of the men tried to get me, and my
18 mom was standing -- like, there was a man, white man,
19 my mom and me, between --
20 Q. Your mom got between you and the white officer?
21 A. Yes.
22 Q. Okay.
23 A. And that's when they started fighting and stuff.
24 Q. Who is "they"? Your mom and the officer?
25 A. Yes.

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1 Q. Okay.
2 A. And one of the white -- the other white man grabbed me
3 and pulled me.
4 Q. He got around your mom --
5 A. Yes.
6 Q. -- the first white officer?
7 A. Yes.
8 Q. And this other man who got around you was a second guy
9 to come in?
10 A. No, they both came in.
11 Q. But one had to come in first. Right?
12 A. Yeah, the one -- one had to come in first and the
13 other came.
14 Q. Right. And the one who came in first was the one who
15 was wrestling with your mom?
16 A. Yes.
17 Q. And the second one who came in went around them and
18 came at you?
19 A. Yes.
20 Q. Okay. And, so, he grabbed you?
21 A. Yes.
22 Q. Did he say anything to you?
23 A. No.
24 Q. What did he do when he grabbed you?
25 A. He -- he -- he grabbed me and pulled me down the

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1 steps. You know, those two steps?
2 Q. Yeah.
3 A. And then he hit me with a flashlight in the eye.
4 Q. Was he holding a flashlight in his hand?
5 A. Yes.
6 Q. Did you see him bring it back and bring it down on
7 you?
8 A. Yes.
9 Q. You did see him do that?
10 A. Yes.
11 Q. Which hand did he use?
12 A. I think he used the right hand.
13 Q. Okay. What part of the flashlight did he hit you
14 with?
15 A. The top part.
16 Q. Where the light comes out?
17 A. Yes.
18 Q. Okay. Did he hit you with the flashlight when you
19 were still in the house?
20 A. Yes.
21 Q. Okay. Then what happened?
22 A. I fell -- I fell down, and I tried to get back up.
23 And he pulled out the gun, what he used outside, and
24 he told me, "Don't move."
25 Q. All right. Let me ask you this: When you fell down

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1 and got back up, were you still in the house?
2 A. Yes.
3 Q. Was he holding onto you?
4 A. Yes.
5 Q. So he hit you with the light; you kind of went down a
6 little bit?
7 A. Yes.
8 Q. Did he pull you up, or did you stand up?
9 A. He pulled me. He pulled me up.
10 Q. All right.
11 A. And then he grabbed me and pulled me outside.
12 Q. Okay. And then what did he do outside?
13 A. He told me to lay down, and I was laying down with my
14 stomach to the ground.
15 Q. Yeah.
16 A. And he handcuffed me.
17 Q. Okay. Did he hit you again?
18 A. No.
19 Q. Did he kick you?
20 A. No.
21 Q. Okay. So after he handcuffed you, there was no other
22 kicking or shoving or pushing?
23 A. No.
24 Q. Am I correct?
25 A. Yes.

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1 Q. All right. Then what happened?
2 A. Then I saw my mom and the other guy fighting, and then
3 they -- then there was wrestling, and the man kept on
4 hitting my mom.
5 Q. Yeah.
6 A. And I was kind of mad, because I couldn't do anything
7 to help my mom. I was just watching while I was
8 getting handcuffed.
9 Q. So you saw him hitting your mom before you were
10 handcuffed and then while you were handcuffed?
11 A. Yes.
12 Q. Okay. And were they still hitting your mom after you
13 were handcuffed?
14 A. Yes.
15 Q. And there was nothing you could do to help her?
16 A. No.
17 Q. Am I right?
18 A. Yes.
19 Q. Okay. Then what happened?
20 A. The man finally dragged my mom -- they dragged my mom
21 outside and then she -- she laid down. And then I saw
22 some little plastic. I saw some plastic in the hand,
23 and he tried to open my mom's fist or whatever. I
24 don't know what was happening. And then a man
25 handcuffed my mom, and then spray -- spray -- what is

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1 it called -- pepper-sprayed her.
2 Q. Did he put this -- try to put this plastic in your
3 mom's hand when she was lying down?
4 A. Yes.
5 Q. Okay. What did this plastic bag look like?
6 A. It was just like -- it was just a little white bag. I
7 don't know what was it -- or --
8 Q. Was it clear plastic like a Ziploc?
9 A. Yes. I got of glimpse of it, because it was
10 nighttime.
11 Q. Was it a Ziploc --
12 A. Yes.
13 Q. -- like you would put a sandwich in?
14 A. Yes, I think it was a Ziploc.
15 Q. Did he try to put that in your mom's hand?
16 A. Yes.
17 Q. How did he do that?
18 A. He, like, tried to -- he kept hitting her and stuff,
19 and he tried to open my mom's hand, but my mom wasn't
20 let -- wasn't going to let him.
21 Q. This was while she was lying down?
22 A. Yes.
23 Q. Which hand was it?
24 A. The right hand.
25 Q. Okay.

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1 MR. HUGHES: Your mom's hand?
2 BY MR. GOLDSTEIN:
3 Q. Yeah, was it your mom's right hand?
4 A. I -- I can't really tell, because it was happening so
5 fast.
6 Q. Well, do you know which side of your mom was facing
7 you?
8 A. She didn't -- she didn't really see me, because they
9 were still fighting.
10 Q. But you could see your mom. Right?
11 A. Yes.
12 Q. Could you see the hand?
13 A. Yeah, I saw the hand and the back.
14 Q. Right. So which hand were they trying to pry open,
15 her hand, which one of her hands?
16 A. I think it was the left hand.
17 Q. Okay. Then what -- and then -- then they sprayed her,
18 you say?
19 A. Pepper-sprayed her.
20 Q. Was this after she was handcuffed?
21 A. This was -- yeah, after she was handcuffed. And then
22 my mom told my sister to call the police, and the
23 police said, "We are the police," like they was making
24 a joke about us and stuff.
25 Q. Okay. Let's back up the truck a second.

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1 A. Okay.
 2 Q. All right. You're doing great.
 3 A. Okay.
 4 Q. Was your mom on the ground and handcuffed when he
 5 tried to put the bag in?
 6 A. Yes.
 7 Q. And she was already handcuffed when he sprayed her?
 8 A. Yes.
 9 Q. Did you hear your mom say anything to him?
 10 A. Yeah. She said, "What are you putting in my eye?"
 11 and stuff.
 12 Q. Did you hear her say anything to him before she got
 13 sprayed?
 14 A. No. They were just, you know -- well, fighting, and
 15 she kept on squirming around, trying to get away.
 16 Q. Okay.
 17 A. Because I don't know what was happening.
 18 Q. So she was squirming around and trying to get away?
 19 A. Yes.
 20 Q. Even after she was handcuffed?
 21 A. No, she stayed -- she stayed down. I'm talking about
 22 before she was getting handcuffed.
 23 Q. Okay. But after she was handcuffed, she wasn't
 24 squirming anymore. Correct?
 25 A. No.

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1 Q. Are you agreeing with me?
 2 A. Yes.
 3 Q. All right. You're doing great.
 4 So after she got handcuffed, he tries to
 5 put the plastic bag in her hand?
 6 A. Yes.
 7 Q. That doesn't work, does it?
 8 A. No.
 9 Q. And then he sprays her with the pepper-spray?
 10 A. Yes.
 11 Q. And then what happens?
 12 A. And then my mom -- then she -- the police officer --
 13 she walked -- walked her to me. And that's when my
 14 mom and me was standing right next to each other.
 15 Q. Oh, they got -- they got you up, to stand up?
 16 A. No. No, she -- they didn't make me stand up. They
 17 made my mom stand up and made her lay down next to me.
 18 Q. Right.
 19 A. And that's when -- that's when they finally answered
 20 our question, like -- like, "Who are you?" and stuff.
 21 Q. Okay. Well, let me just -- that's fine. I just want
 22 to make sure I got everything.
 23 After they handcuffed your mom, the only
 24 other thing you saw they did to her was spray her.
 25 Correct?

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1 A. Yes, and hit her and spray her.
 2 Q. Oh, they did hit her?
 3 A. They hit her once and sprayed her in the eye.
 4 Q. Where did they hit her?
 5 A. In the -- in the eye and the jaw and stuff.
 6 Q. Was that after she was handcuffed?
 7 A. Yes.
 8 Q. Okay. All right. Now, let's go back to where you
 9 were.
 10 A. And then they finally -- we kept asking -- asking the
 11 officer questions, and they kept -- they said it was
 12 like a -- like a search for drugs or something,
 13 something like that; drugs and guns, AK-47s and stuff.
 14 And then that's when my mom -- that's when
 15 my sister called the police before, and the police
 16 came through the front door to the back, and the
 17 police officer said it wasn't -- it wasn't us that did
 18 it.
 19 Q. Okay. Were you there when your sister called the
 20 police?
 21 A. Yes.
 22 Q. You heard what she said on the phone?
 23 A. No, I didn't hear, 'cause -- I didn't hear. She
 24 was -- she was in the kitchen. I wasn't in the house,
 25 so I didn't hear.

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1 Q. You weren't in the kitchen when she called the police,
 2 were you?
 3 A. No.
 4 Q. Okay. So you -- and when I say "there," you were on
 5 the property. I understand that, and that's what I
 6 think you meant, but you were not in the same room
 7 when she actually called the police, were you?
 8 A. No.
 9 Q. And you didn't hear what she said. Correct?
 10 A. Yes.
 11 Q. And you don't know what the people on the phone said
 12 to her?
 13 A. Correct.
 14 Q. But you know what your sister may have told you?
 15 A. Yes.
 16 Q. And you believe your sister?
 17 A. Yes.
 18 Q. As you should.
 19 A. Yes.
 20 Q. Okay. And you saw uniformed police come out of your
 21 back door?
 22 A. Yes.
 23 Q. And you are assuming that they came in through the
 24 front door?
 25 A. Yes.